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*Attorneys for The Bank of New York Mellon, f/k/a Bank of New York, as Trustee AS Trustee for
the Certificateholders CWALT, Inc., Alternative Loan Trust 2006-OC2, Mortgage Pass-Through
Certificates Series 2006-OC2 and Select Portofolio Servicing, Inc.*

10 **UNITED STATES BANKRUPTCY COURT**

11 **DISTRICT OF NEVADA**

12 In re:

13 ILIA CHAROV

14 Debtor.

Adversary Case No. 15-01107-mkn
Case No.: 15-13297-mkn
Chapter: 13

15 **NOTICE OF HEARING**

Hearing Date: January 14, 2016
Hearing Time: 10:00 am

16 ILIA CHAROV AND RICK A. YARNALL as
17 TRUSTEE BANK

18 Plaintiffs

19 v.

20 BANK OF NEW YORK MELLON, AS
21 TRUSTEE BANK, et. al.

22 Defendant

23 To: ALL INTERESTED PARTIES

24 NOTICE IS HEREBY GIVEN that a MOTION TO DISMISS COMPLAINT FOR
25 DECLARATORY AND INJUNCTIVE RELIEF AND FOR MORE DEFINITE STATEMENT
26 was filed herein by Christopher A. J. Swift, Esq., attorney for The Bank of New York Mellon,
27 f/k/a Bank of New York, as Trustee for the Certificateholders CWALT, Inc., Alternative Loan
28 Trust 2006-OC2, Mortgage Pass-Through Certificates Series 2006-OC2 and Select Portfolio

1 Servicing, Inc.. The motion seeks the following relief: Secured Creditor seeks an order
2 dismissing the Plaintiffs' complaint filed on June 30, 2015.

3 Any Opposition must be filed pursuant to Local Rule 9014(d)(1):

4 (1) Except as set out in subsection (3) below, any opposition to a motion
5 must be filed, and service of the opposition must be completed on the
6 movant, no later than fourteen (14) days preceding the hearing date for the
7 motion. The opposition must set forth all relevant facts and any relevant
8 legal authority. An opposition must be supported by affidavits or
9 declarations that conform to the provisions of subsection (c) of this rule.

10 (2) Except as set out in subsection (3) below, any reply memorandum
11 must be filed and served no later than seven (7) days preceding the hearing
12 date.

13 (3) Subsections (d)(1) and (2) do not apply to:

14 (A) Motions for summary judgment brought in any adversary proceeding;

15 (B) Motions for which an order shortening the time for the hearing date
16 has been obtained; and

17 (C) Motions or contested matters for which the court has set a separate
18 briefing schedule either in open court or by separate order.

19 (4) For motions sought to be heard on shortened time, including when
20 such motions are brought in an adversary proceeding, responses and
21 replies will be due as set forth in the order granting the request that the
22 motion be heard on shortened time or as provided in LR 9006.

23 If an objection is not timely filed and served, the relief requested may be granted
24 without a hearing:

25 Local Rule 9014(b)(1): If you object to the relief requested, you must file a **WRITTEN**
26 response to this pleading with the court. You *must* also serve your written response on the
27 person who sent you this notice.

28 If you do not file a written response with the court, or if you do not serve your
written response on the person who sent you this notice, then:

- The court may refuse to allow you to speak at the scheduled hearing; and
- The court may rule against you without formally calling the matter at the hearing.

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2 NOTICE IS FURTHER GIVEN that the hearing on the said Motion will be held before a
3 United States Bankruptcy Judge at the Foley Federal Building, Courtroom 2, U.S. Bankruptcy Court,
4 300 Las Vegas. Boulevard South, Las Vegas, Nevada on **January 14, 2016, at 10:00 A.M.**

5 Dated: November 13, 2015

WRIGHT, FINLAY & ZAK, LLP

6
7 /s/ Christopher A. J. Swift

8 Christopher A. J. Swift, Esq.

9 Nevada Bar No. 11291

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Las Vegas, NV 89117

10 *Attorneys for The Bank of New York Mellon, f/k/a*
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15 *Servicing, Inc.*
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